IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA BRYSON CITY DIVISION 2:05cv210

ELOISE T. JOHNSON,)	
Plaintiff,)	
Vs.)) JUDGME	NT
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
Defendant.))	

THIS MATTER having come before the court pursuant to 28, United States Code, Section 636(c) and upon plaintiff's Motion for Summary Judgment and the Commissioner's Motion for Summary Judgment, and it appearing that the final decision of the Commissioner is supported by substantial evidence and consistent with current law,

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that defendant's Motion for Summary Judgment (#17) is GRANTED, plaintiff's Motion for Summary Judgment (#15) is DENIED, the final decision of the Commissioner's is AFFIRMED, and this action is DISMISSED.

Signed: May 23, 2006

ennis & Hausel

Dennis L. Howell United States Magistrate Judge